

“Time for a “Bottom-Up” Approach to Ethics”

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Time for a “Bottom-Up” Approach to Ethics

In the nine years since the U.S. military defeated the Taliban in Afghanistan, the Army has examined and questioned almost every aspect of its operations in order to adapt and improve its ability to fight a counterinsurgency. In this period, the Army has published numerous revisions to doctrine and tactics, and has adjusted Professional Military Education in order to improve battlefield success. Although the Army has continuously adjusted how it fights, one area that has not seen significant change is its ethical training program. The Army has issued no top-down guidance for improving ethical training and education programs. This leaves leaders at the small-unit level to act on their own to address the ethical challenges of the COIN environment. A bottom-up leader emphasis on ethical development is not only necessary, it will be far more responsive to units as leaders are able to share tactics, techniques, and procedures (TTPs) for addressing ethical challenges, and it can help shape Army-wide ethical programs.

Despite the lack of direction from higher headquarters, the Army remains concerned and engaged in the continual process of examining military ethics. The Army’s cornerstone doctrinal publication, FM 3-0, *Operations*, emphasizes the importance of ethical behavior to mission success. Furthermore, the Army’s counterinsurgency doctrine, FM 3-24, *Counterinsurgency*, repeatedly highlights the impact of ethical behavior in the counterinsurgency (COIN) fight. Likewise, numerous journal articles have presented the relative strengths and weaknesses of the Army’s current ethical model, the Army Values, as well as the necessity of coherent ethical training for Soldiers and leaders.

Recently the Army has begun studying the Army's Professional Military Ethic. In 2007, this effort led to the establishment of the Army Center of Excellence for the Professional Military Ethic (ACPME) at the United States Military Academy. The ACPME website states that its mission is "to increase Army-wide understanding, ownership, and sustained development of [the Professional Military Ethic] through research, education, and publication." These efforts are laudable, but the discussion remains focused at the academic level on theory and normative ethics. There have not been any concrete steps to translate the doctrinal requirements of FM 3-24 into the practical ethical decision-making tools Soldiers and leaders need in a COIN environment.

Why Seven Army Values?

This article is far too short to do justice to the Army's history of ethical training and education (Thank goodness). Nor is it a discussion of the philosophical strengths and weaknesses of various ethical models. The article presupposes that an ethical model that is responsive to the requirements of the COIN environment will help our Soldiers fighting in Iraq and Afghanistan. But before we can discuss the need for a new bottom-up approach to ethical training it is necessary to understand in part why the Army has chosen the seven Army Values to describe its institutional ethic. Doing so will illuminate the need for a new approach to ethical instruction.

The current Army Values are the result of more than two decades of refinement which began at the conclusion of the Vietnam War. Prior to the Vietnam War, ethics training was not a part of the standard instruction at Army schools.ⁱ While there was a DA Pamphlet devoted to character development, there was no required training on ethical or moral issues.ⁱⁱ Even before the end of the Vietnam War, the Army was concerned

about the conduct and behavior of the Soldiers and officers. In response to the My Lai massacre and the subsequent cover-up, the Chief of Staff of the Army, GEN William C. Westmoreland, tasked LTG William R. Peers with investigating the process of the original My Lai investigation. The Peer report identified thirteen factors that contributed to the My Lai massacre, and recommended that the Army conduct a detailed study of the necessary moral and ethical standards for both officers and Non-Commissioned Officers. GEN Westmoreland then directed the U.S. Army War College to conduct the first of a series of studies on professionalism and ethics within the officer corps that would take place between 1970 and 1982.ⁱⁱⁱ The initial study identified serious concerns throughout the officer corps about intense pressure to succeed and a zero-defects mentality.^{iv} A widely-held public perception that the Army was unethical and immoral led to a focused effort within the Army to earn back the trust of the American people.^v Further studies conducted by the Army War College confirmed the need for formal ethical training within the Army that focused not only on behavior in combat but also on attitudes of careerism, zero-defects, and “CYA,” that were prevalent within the officer corps.^{vi} From the late 1970s through the 1980s, the Army greatly expanded military ethics instruction with required training for all Soldiers and specific ethics classes for ROTC and West Point cadets. But although ethical training became a core block of instruction at all Army schools and was seemingly embedded in the Army culture, a series of high profile incidents in the 1990s involving sexual assault, harassment, rape, extremism, abuse of authority and misuse of government property by senior NCOs and officers demonstrated the need for additional action.^{vii}

In response to these tragic incidents the Army sought to determine and explain its values in a new statement of the Army ethic. Officially published for the first time in the 1998 version of FM 22-100, *Leadership*, the Army Values were developed by senior Army leaders in the Pentagon in order to provide a concise statement of the qualities expected of Soldiers by the Army and the nation. The Army Values consist of: Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, and Personal Courage. FM 1, *The Army*, describes the Army Values in the following way:

The Army Values are the basic building blocks of a Soldier's character. They help Soldiers judge what is right or wrong in any situation. The Army Values form the very identity of the Army, the solid rock on which everything else stands, especially in combat. They are the glue that binds together the members of a noble profession.^{viii}

As an ethical model, the Army Values are a “virtues-based” approach to ethics.^{ix} This approach focuses on developing the character of a Soldier by providing specific virtues for the Soldier to emulate. It presumes that once a Soldier has internalized those virtues he or she will behave in accordance with them because they have been incorporated into their character.^x A virtues-based ethical model is relatively easy to teach, which makes it desirable for the Army. But it also has the arguable benefit of not requiring extensive philosophical reflection in order to be useful. A Soldier acting in accordance with organizational values cannot act unethically because, by definition, he or she is following the stated ethical code of the organization.

What's the Big Deal Anyway?

Despite isolated high-profile cases of unethical behavior over three decades, the Army's ethical program has demonstrated remarkable success. Arguably no other army has focused as much effort on the moral and ethical development of its Soldiers. The

majority of Soldiers behave ethically and demonstrate a commitment to live according to the Army Values. Although it is fair to question whether they do so because they have internalized the Army Values and made them part of their character, or simply because they fear the repercussions if they do not, there is no doubt that most Soldiers accept the Army Values as a guide for behavior.

So why should the Army focus on ethics on the battlefield? Incidents of unethical or illegal behavior that occur in the United States are often publicized, but typically only impact the careers of the individuals involved. In contrast, in Iraq and Afghanistan unethical behavior can have a direct impact on the course of the wars disproportionate to the severity of the offense. Unethical behavior raises the specter of hypocrisy, undermines support, and further weakens the already thin bonds between the Army and the public it serves. Unethical behavior by U.S. Soldiers serving in Iraq and Afghanistan reduces the legitimacy of Host Nation governments in the eyes of the Iraqi and Afghan populace due to the close relationship between the Host Nation government and the U.S. military. According to FM 3-24, “The primary objective of any COIN operation is to foster development of effective governance by a legitimate government.”^{xi} In countries previously dominated by brutal regimes, unethical behavior may lead to the perception that the new government is no better than the last and reduce the willingness of the civilian population to support the new leadership. Ethical behavior, especially at the small-unit level, can be a critical vulnerability in a COIN environment. Because ethical behavior is so important it is necessary to determine whether the current ethical system used by the Army is sufficient to meet the needs of a complex COIN environment.

Do the Army Values work?

While a common statement of values is useful to ensure standardized instruction across the Army, by its very nature it is the product of a staff process that involves many actors and tends to favor consensus over effectiveness or usefulness. The Army Values succeed as a statement of the Army's expectations of Soldiers and, indeed, as an appropriate list of values for any individual. But there have also been criticisms that the Army Values do not always help Soldiers and leaders facing ethical dilemmas on the battlefield. While the intent was to develop the character of Soldiers and leaders such that choosing the ethically correct action in combat would require little or no thought, many Soldiers find that the Army Values provide insufficient guidance in the current COIN environment.

They are less useful, in large part, because they lack an effective methodology for helping Soldiers resolve ethical dilemmas involving two actions that both could be considered ethically correct. Teaching a Soldier that he or she must conform to certain values in order to "be" ethical does not help him or her decide what to do when faced with a conflict of Loyalties, or a conflict between the values of Duty and Respect. The Army's system for teaching the Army Values assumes that Soldiers have appropriate role models within their leadership to emulate and, therefore, removes most of the responsibility for ethical thinking on the part of the Soldier.

The "top-down" nature of the Army Values means that Soldiers are more likely to view them as being imposed by "higher;" lecture style classroom instruction reinforces this opinion. And perhaps most important, the "top-down" nature of the Army Values undermines Soldier ownership of the Army's ethical model. As we will see, current Army doctrine places a great deal of importance on the ethical behavior of Soldiers and

leaders but, no matter how well-intentioned, a “top-down” ethical model that is not accepted by Soldiers as their own is unable to provide the ethical support necessary for current operations.

Ethical Requirements in COIN

Army doctrine emphasizes on ethical behavior and explains its importance to combat operations. FM 3-0, *Operations*, states: “today’s dangerous and complex security environment requires Soldiers who are men and women of character.”^{xii} It further explains that, “all warfare, but especially irregular warfare, challenges the morals and ethics of Soldiers The ethical challenge rests heavily on small-unit leaders who maintain discipline and ensure that the conduct of Soldiers remains within ethical and moral boundaries”^{xiii} Likewise, FM 6-22, *Leadership*, describes how hard it can be for leaders to make ethical decisions in combat: “in combat, ethical choices are not always easy. The right thing may not only be unpopular, but dangerous as well. Complex and dangerous situations often reveal who is a leader of character and who is not.”^{xiv} FM 3-24, *Counterinsurgency*, goes further than any other doctrinal publication to emphasize that success in a COIN operation is often dependent upon the ethical behavior of counterinsurgent forces. Given that the U.S. Army remains engaged in COIN operations in Iraq and Afghanistan, it is necessary to look closely at our counterinsurgency doctrine to determine what kind of ethical behavior and ethical reasoning is required to succeed in a COIN environment and whether the Army Values are sufficient to meet those requirements.

COIN operations are population-centric. FM 3-24 states that “COIN is a struggle for the population’s support.”^{xv} The overarching focus for a counterinsurgent is the

security, well-being, and perceptions of the Host Nation population. Both insurgents and counterinsurgents are vying for the support of the population. Leaders must gain an understanding of the complex relationships among the multiple actors within the civilian population and must frequently interact with civilians to gauge their level of support and understand their concerns.^{xvi}

This focus on the population is a clear distinction between COIN operations and major combat operations. In major combat operations, the civilian population is often considered merely another aspect of the battlefield environment. To the extent that civilians are considered it is usually only to determine how to minimize their impact on operations or whether a specific attack satisfies the proportionality requirements of the Law of War. In COIN operations, however, FM 3-24 states that leaders must “feel the pulse of the local populace, understand their motivations, and care about what they want and need.”^{xvii} FM 3-24 explains that it is not enough to feign concern for the population, rather counterinsurgents must form real, lasting relationships with locals because “genuine compassion and empathy for the populace provide an effective weapon against insurgents.”^{xviii}

FM 3-24 explains that, because COIN operations take place among the people, “combat operations must...be executed with an appropriate level of restraint to minimize or avoid injuring innocent people.”^{xix} The emphasis on restraint distinguishes COIN from major combat operations, in which the application of overwhelming firepower on the enemy is a fundamental principle. Even more disconcerting to many leaders is the acknowledgment in FM 3-24 that “combat requires commanders to be prepared to take some risk especially at the tactical level. . . . [This] is particularly important during COIN

operations, where insurgents seek to hide among the local populace.”^{xx} Leaders are loyal to their Soldiers, care deeply about their well-being, and are loathe to risk their lives unnecessarily, but FM 3-24 directs them to accept additional risk to their Soldiers in order to avoid injury and death to noncombatants.

The population focus of COIN requires that operations be decentralized. The constant interaction with the civilian population that is required for success occurs at the small-unit level. Senior commanders cannot be at every critical location or meeting in order to guide subordinates. Therefore, senior commanders must empower their junior leaders. FM 3-24 states: “local commanders have the best grasp of their situations.... thus, effective COIN operations are decentralized, and higher commanders owe it to their subordinates to push as many capabilities as possible down to their level.”^{xxi} In order for decentralized operations to be successful, junior leaders must be flexible, able to adapt and “inculcated with tactical cunning and mature judgment.”^{xxii} Junior leaders in a COIN environment must have the ability to evaluate a situation, avoid cognitive bias, and develop an effective course of action. Just as senior leaders should develop critical thinking skills in their subordinates, they should also work to develop ethical decision-making skills that allow junior leaders to evaluate a situation and respond in an ethical manner without requiring input from higher headquarters.

COIN operations as envisioned by FM 3-24 require significant ethical judgment. LTC Celestino Perez wrote that FM 3-24 “contains an ethical subtext and entails an implicit but substantial morality.”^{xxiii} The “ethical subtext” of FM 3-24 emphasizes the “sanctity and dignity of human life as well as the freedom of thought, conscience, and action.”^{xxiv} An ethical model appropriate for COIN operations would incorporate the

requirements expressed above. It would focus on the sanctity and value of human life by the accepting the moral equivalence of all individuals. It would emphasize the moral necessity for Soldiers to assume additional risk in order to prevent the injury or death of civilians. And it would acknowledge that each Soldier is morally autonomous – each Soldier is responsible for making his or her own moral and ethical choices based on reasons that he or she understands, accepts, and is able to reflect upon – by providing an ethical decision-making model that is useful to Soldiers and junior leaders.^{xxv}

<u>COIN Requirements</u>	<u>COIN Ethical Principles</u>
<ul style="list-style-type: none"> • Compassion and empathy for civilians • Restraint / Assume risk in order to protect civilians • Empowered, adaptive, junior leaders with mature judgment 	<ul style="list-style-type: none"> • Moral Equivalence • Assumption of Risk / Double Effect • Moral Autonomy / Decision-making model

Figure 1: The three COIN requirements and corresponding ethical principles

The Army Values do not support these COIN requirements. Although an argument can be made that the value of “Respect” incorporates the concept of moral equivalence, and that the value of “Duty” would require Soldiers to assume risk in order to accomplish their assigned mission, these are not defined that way in any Army publication or standard training package. Likewise, the Army does not encourage Soldiers to reflect on ethical or moral decisions. Rather than encouraging reflection, the method of training Soldiers on the Army Values is mere indoctrination that relies on conformity and blanket acceptance. Although FM 6-22 acknowledges that ethical and moral decisions are ultimately the responsibility of individual Soldiers, the entire “top-

down” system of training on the Army Values rejects the idea that Soldiers are free to make their own moral and ethical decisions.^{xxvi}

Rather than guiding a Soldier through the process of deciding on the right action to take, the Army Values approach assumes that Soldiers will be able to make the distinction between right and wrong. FM 6-22 explains that “Integrity” is “...dependant on whether the leader inherently understands right versus wrong. Assuming the leader can make the distinction, a leader should always be able to separate right from wrong in every situation.” It should be relatively easy for any Soldier to distinguish a right action from an obviously wrong action, but true ethical dilemmas are not clear-cut cases of right versus wrong. They are often situations in which a Soldier must choose between two actions that both seem right, such as conflicts between actions that seem to support different Army Values, i.e., Loyalty to fellow Soldiers versus Duty to the civilian population, or Loyalty to the commanding officer and Integrity. In these types of situations the only advice that FM 6-22 gives is for the Soldier to “consult a mentor with respected values and judgments.”^{xxvii} Even though the intent of the Army Values is to develop Soldiers’ character to the point where ethical decisions are immediate, they only give guidance to Soldiers making easy decisions, not hard ones.

The Army Values are a framework for ethical decision-making but they do not, by themselves, help Soldiers resolve important ethical dilemmas. They are like the frame of a car in that they provide structural stability and support, but they do not help a Soldier move forward in making ethical decisions. To help Soldiers make informed ethical decisions, unit leaders must do more than merely restate the Army Values and set an ethical example. They must also provide Soldiers with an “engine” to move forward.

A “Bottom-Up” Ethical Model

Despite renewed efforts to study the effectiveness of the Army ethical model, any attempt by the Army to modify or change the Army Values inevitably results in a slow, methodical staff process that is driven from the top of the army hierarchy, lack of Soldier ownership, and not responsive to the specific needs that Soldiers face in the COIN environment. To some extent, this unresponsiveness can be responsible for general Soldier frustration and cynicism about the Army’s ethical system.^{xxviii} While the desire on the part of senior army leaders to “get it right” is understandable, academic debate cannot satisfy the requirement for an ethical model that meets the needs of the COIN environment. The best way for the Army to meet this challenge is with a three step process: (1) encourage unit leaders at the brigade level and below to educate and train their subordinates on the ethical requirements of a COIN environment through dialogue and discussion; (2) invite Soldiers and leaders to share the insights and knowledge gained through this process with the rest of the Army; and (3) develop an Army-wide ethical model that incorporates insights gained through this collaborative approach. Such a “bottom-up” method has several positive aspects to it. It is leader-driven, and builds upon the authority and example set by unit commanders. Furthermore, it relies on discussion and input at the Soldier level, thereby increasing the likelihood of acceptance and “buy-in” from Soldiers and junior leaders both within the unit and Army-wide. It also acknowledges, builds upon, and leverages the increased authority and responsibility the Army expects junior leaders to exercise in decentralized COIN environments.

Step One – Vigorous, Open, and Frank Discussion

The first step in this “bottom-up” approach requires an engaged leader exercising the full range of leader attributes and leadership methods spelled out in FM 6-22 to educate and train his or her Soldiers. Leaders should focus on the three COIN requirements and, in addition to conducting separate ethical instruction, should integrate these ethical principles into planned unit training to reinforce their importance. Ultimately, leaders are responsible for establishing a positive ethical climate within their unit. By setting a good example of ethical behavior, encouraging discussion and Soldier input concerning ethical issues, and actively participating in the process of dialogue, leaders can ensure that Soldiers are able and willing to have open and frank discussions about ethics. Open discussion, in which Soldiers are free to voice their opinions, facilitates critical thinking, as well as better problem solving and decision-making skills. Leaders must determine what ethical challenges the unit is likely to face during a deployment and develop a program to help Soldiers and junior leaders learn how to make the right decisions. The following sections are intended to assist leaders in developing education and training programs on the COIN ethical principles by linking them to COIN requirements. They are merely suggestions, and leaders should modify them to fit the particular needs of their unit.

Mature Judgment

FM 6-22 recognizes the importance of sound judgment and states that “good judgment on a consistent basis is important for successful Army leaders and much of it comes from experience.”^{xxix} Young Soldiers and junior leaders may not have sufficient experience to intuitively understand what action is necessary in a given situation, especially in a complex COIN environment. Critical thinking skills are key to developing sound and mature judgment. Leaders should ensure that during training Soldiers and junior leaders are presented with complex scenarios that require them to evaluate and consider multiple variables, including the second and third order effects of possible actions, in order to determine the proper course of action. Ethical dilemmas should be consciously incorporated into scenario based training in order to provide opportunities for junior leaders and Soldiers to develop ethical decision-making skills. However, incorporating ethical challenges into training will not succeed in developing ethical decision-making skills unless this is linked to an ethical decision-making model.

One such ethical decision-making model, known as the Ethical Triangle, was developed by Dr. Jack Kem at the Army’s Command and General Staff College. The Ethical Triangle guides Soldiers through ethical dilemmas by teaching them the basic principles of the three main approaches to ethics: rules-based, consequences-based, and virtues-based.^{xxx} FM 6-22 acknowledges these three approaches but does not explain how to use the Ethical Triangle.^{xxxi} It is both useful and appropriate to teach the Ethical Triangle to Soldiers and junior leaders because it incorporates moral philosophy while remaining straightforward and easy to understand.

Teaching the use of the Ethical Triangle to resolve complex ethical dilemmas would enhance the moral autonomy of Soldiers by helping them evaluate ethical

dilemmas and understand how they choose the proper course of action based on rational input. Ethical decision-making tools reinforce and support critical thinking skills and, thereby, the development of sound, mature judgment necessary for COIN operations.

Compassion and Empathy for Civilians

Leaders should cultivate “genuine compassion and empathy for the populace.”^{xxxii} This is perhaps the most important, but most difficult, requirement to fulfill in a COIN environment. It is far easier to convince a Soldier to behave ethically because it helps accomplish the mission than it is to convince him or her to create an emotional bond with the local populace. FM 3-24 emphasizes that “kindness and compassion can often be as important as killing and capturing insurgents.”^{xxxiii} Truly caring for civilians is a means of combating the insurgents’ ideology and propaganda and of increasing the credibility of U.S. forces and the legitimacy of the Host Nation government. The effort to instill in Soldiers empathy for foreign civilians begins by humanizing them and getting Soldiers to understand the current situation through the civilians’ point of view. In previous conflicts the Army has sought to dehumanize the enemy in order to make it easier for Soldiers to kill and to minimize the psychological trauma that killing has on Soldiers.^{xxxiv} But insurgents live among the very people that counterinsurgents are trying to influence and it is often difficult to distinguish between civilians and insurgents. Therefore any effort to dehumanize the “enemy” has the potential to also dehumanize the local populace in the eyes of Soldiers and is likely to result in heavy-handed and unethical treatment. On the other hand, intentionally developing empathy and compassion for civilians makes it more likely that civilians will welcome U.S. security, support the Host Nation government, and help Soldiers accomplish their mission.

Empathy and compassion for the local populace can grow as Soldiers and leaders develop cultural awareness of the local people within their assigned area of operations. Obviously, the best way to create empathy and compassion for civilians is the daily interaction Soldiers have with locals during deployment. However, many units also conduct pre-deployment cultural awareness classes and require Soldiers to read or watch videos about Iraqi and Afghan history and culture.^{xxxv} This helps Soldiers understand the situation facing the civilian population and helps them empathize with their plight. But leaders can add to this training by explaining the importance of compassion and empathy. Leaders who explain to Soldiers that they should care about the civilians because it is moral and ethical, rather than merely useful for mission accomplishment, will help them understand not only the requirement but also the ethical rationale behind it. Soldiers may come to see that local civilians are moral beings with their own interests, values and desires and are, in actuality, morally equivalent to their own families

Acceptance of Greater Risk in order to Prevent Injury or Death of civilians

This is not an easy principle for leaders to accept, but it follows naturally from the principle of moral equivalence. Loyalty to their Soldiers often means that leaders do not intentionally endanger Soldiers' lives any more than absolutely necessary. But FM 6-22 makes it clear that "taking care of Soldiers" requires preparing them for the rigors of combat and demanding that they do their duty.^{xxxvi} The COIN environment requires that leaders not only risk their Soldiers' lives, but accept even greater risk to their Soldiers in order to ensure the safety of the civilian population. If Soldiers empathize with civilians and care about their well-being then they will accept greater risk to themselves in order to prevent the injury or death of the civilians they care about.

In order to support this COIN requirement, leaders should understand, and educate their Soldiers on, the principle of double intention. This principle was developed by Michael Walzer as an amendment to the Law of War principle known as discrimination. The principle of discrimination requires that military forces not intentionally target civilians or their property. Walzer argued that this principle is morally insufficient and that, in the conduct of military operations, “if saving civilian lives means risking soldiers’ lives, the risk must be accepted.”^{xxxvii} The general rationale for this principle is the idea that civilians are innocent or blameless as opposed to the enemy state and military, thus there is a moral obligation to take positive efforts to reduce the risk to them.^{xxxviii} If we accept the validity of the principle, then the next two questions are: (1) by how much must civilian risk be reduced, and (2) how much additional risk must Soldiers accept? Steven Lee answers these questions by arguing that Soldiers should choose a course of action: (1) that poses less risk to civilians than would occur in the militarily optimal course of action that did not take civilian considerations into account; and (2) in which the risk posed to civilians is reasonable in light of the circumstances.^{xxxix} An example of this principle would be choosing to execute a company raid on a suspected insurgent safehouse, rather than dropping a precision-guided bomb on it, because of its location in a populated area. The Soldiers are exposed to greater risk in order to prevent the injury or death of nearby civilians.

Leaders should discuss this concept to their Soldiers and allow them to reflect upon it, challenge its conclusions, and determine its worth for themselves. This principle often raises questions about the relative worth of Soldiers versus civilians (who might be sympathetic to the insurgents). While it is likely to be a target of criticism, leaders should

explain both the practical importance – how it fits into COIN doctrine – as well its ethical importance. Soldiers may eventually come to understand that, as volunteers, they accepted that their lives might be placed at risk, but that most civilians in a COIN environment are merely trying to avoid conflict and do not voluntarily place themselves at risk. From an ethical standpoint they are no different than the Soldier’s own family – they are morally equivalent.

Step Two – Share Insights and Lessons

For the “bottom-up” process to work, Soldiers and leaders must be willing to share the ethical insights and knowledge they have gained so that these lessons can be examined, tested, and employed by the rest of the Army. There must also be a means of capturing these lessons and making them easily available. While this can be done through formal AARs and collecting lessons learned, the process for publishing formal AARs is time consuming and inefficient if the goal is to maximize distribution and ease of use. An easier and more responsive way to both collect and share ethical information is through the internet-based tools the Army already provides. For example, the Army has instituted the use of online wikis to gather input from Soldiers on specific TTPs. That is a viable option to use for sharing lessons learned and developing an ethical model. Another method could be the use of online forums and blogs. The ACPME has established a forum on the Battle Command Knowledge System (BCKS) that could serve as both a repository for proposed ethical principles, lessons learned, and training resources as well as an excellent place for dialogue and discussion of ethical issues.^{xl} Here, leaders can share training methodologies with peers. Soldiers could also post their thoughts and questions about ethical issues. The greatest benefit will come from Soldiers

who are willing to share their perspective on the ethical challenges they have faced in combat and, more importantly, their method of resolving the situation.^{xli}

The ACPME forum is moderated and it would not be difficult, with some assistance, for the moderators to collect and catalog the posted insights and lessons learned. They could also facilitate discussions and gather a sense for the ethical principles Soldiers have accepted as valid. Documenting the results of this step is crucial to eventual army-wide adoption of accepted ethical principles.

Step Three – Formal Army-wide Adoption

The final step in the “bottom-up” process involves formal Army recognition of the new ethical principles. This recognition occurs when new principles, that have been evaluated and informally accepted by Soldiers throughout the Army, are accepted by senior army leadership, incorporated into Army doctrine, and become a part of the Army’s culture. Although senior army leadership typically determines the Army’s culture, widespread acceptance of new ethical principles at lower levels can drive a cultural change and result in informal army-wide ethical norms. All that will be left up to senior army leadership is to formally recognize those ethical principles that have already been adopted by the rest of the Army.

Conclusion

A COIN environment requires Soldiers to adopt new ethical principles. In their current form the Army Values do not meet the needs of the Army. They tell Soldiers to “be” ethical but do not provide them with the necessary tools to figure out what is ethical in a COIN setting. While momentum is growing to relook the Army’s ethical model, any changes to the Army Values are likely to take a long time to implement and be of

marginal use unless they support the requirements of a COIN environment. The principles suggested in this article, moral autonomy, moral equivalence, and double intention, as well as the Ethical Triangle support COIN operations by empowering junior leaders and developing critical thinking. A “bottom-up” approach to ethical development that involves rapid, widespread dissemination of ethical principles and encourages open debate about them can respond much more quickly and effectively to the operational needs of the Army.

ⁱ John. W. Brinsfield, “Army Values and Ethics: A Search for Consistency and Relevance,” *Parameters*, 28, Autumn (1998): 69-84, 71.

ⁱⁱⁱ M. Penfold, “Narrative in Army Values Training,” (M. Theo., Duke University Divinity School, 2003), 12.

ⁱⁱⁱ M. Drisko, “An Analysis of Professional Military Ethics: their importance, Development, and Inculcation” Military Studies Program Paper, U.S. Army War College (Carlisle, 1977), 30.

^{iv} Brinsfield, 69.

^v Ibid.

^{vi} Drisko, (1977), 25.

^{vii} D. Jones, “Instilling the Army Core Values at the unit level: Will FM 22-100 Get Us There?” (MMAS thesis, U.S. Army Command and General Staff College, 1999) 7.

^{viii} FM 1, *The Army*, (Washington D.C.: Government Printing Office [GPO], June 2005), 1-15.

^{ix} Paul Robinson, “Ethics Training and Development in the Military,” *Parameters*, 37, Spring (2007):22-36, 30.

^x Ibid.

^{xi} FM 3-24, *Counterinsurgency*, (Washington D.C.: GPO, December 2006), 1-113.

^{xii} FM 3-0, *Operations*, (Washington D.C.: GPO, February 2008), 1-83.

^{xiii} FM 3-0, para. 1-86.

^{xiv} FM 6-22, *Leadership*, (Washington D.C.: GPO, October 2006), 4-65.

^{xv} FM 3-24, para. 1-160.

^{xvi} FM 3-24, para. 2-6.

^{xvii} FM 3-24, para. 7-8.

^{xviii} Ibid.

^{xix} FM 3-24, para. 5-38.

^{xx} FM 3-24, para. 7-13.

^{xxi} FM 3-24, para. 1-145.

^{xxii} FM 3-24, para. 7-6.

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- ^{xxiii} LTC Celestino Perez, "The Embedded Morality in FM 3-24 Counterinsurgency," *Military Review*, May-June (2009): 24-32, 25.
- ^{xxiv} *Ibid*, 30.
- ^{xxv} Timothy L. Challans, *Awakening Warrior: Revolution in the Ethics of Warfare* (Albany: State University of New York, 2007), 24.
- ^{xxvi} *Ibid*, 139.
- ^{xxvii} FM 6-22, para. 4-35.
- ^{xxviii} Martin L. Cook, *The Moral Warrior: Ethics and Service in the U.S. Military* (Albany: State University of New York Press, 2004), 40.
- ^{xxix} FM 6-22, para. 6-9.
- ^{xxx} Dr. Jack Kem, "The Use of the "Ethical Triangle" in Military Ethical Decision Making," *Public Administration and Management*, 11, no. 1 (2006): 22-43.
- ^{xxxi} FM 6-22, para. 4-69.
- ^{xxxii} FM 3-24, para. 7-8.
- ^{xxxiii} FM 3-24, para. 5-38.
- ^{xxxiv} Dave Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society* (Boston: Bay Back Books, 1995), 252.
- ^{xxxv} H.R. McMaster, "Preserving Soldiers' Moral Character in Counter-Insurgency Operations," in *Ethics Education for Irregular Warfare*, eds. James Connelly, Paul Robinson Don Carrick, 15-27 (Burlington: Ashgate Publishing Company, 2009), 22.
- ^{xxxvi} FM 6-22, para. 7-58.
- ^{xxxvii} Michael Walzer, *Just and Unjust Wars* (New York: Basic Books, 1977), 156.
- ^{xxxviii} Steven Lee, "Double Effect, Double Intention, and Asymmetric Warfare," *Journal of Military Ethics* 3, no. 3 (2004): 233-251, 238.
- ^{xxxix} Lee (2004), 246. (Lee's reasonableness calculation weighs the risk to civilians against the risk to combatants, the likelihood of achieving the military objective, and the extent to which accomplishing the objective would aid in overall victory.)
- ^{xl} The ACPME Character net is available on the BCKS at <https://forums.bcks.army.mil/secure/CommunityBrowser.aspx?id=934709> . AKO login required.
- ^{xli} One Soldier with direct experience with ethical challenges in a COIN environment is SFC John Fenlason who not only posts to the BCKS Character forum, but also maintains his own blog devoted to ethical and moral issues. His blog can be found at <http://fensthoughts.blogspot.com>.